



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2457 FAX (603) 271-7894



Mr. John Terlizzi
Great Bay Athletic Club
191 Exeter Road
Newmarket, New Hampshire 03857

LETTER OF DEFICIENCY
WMB PBF 03-17
May 15, 2003

Dear Mr. Terlizzi:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On May 8, 2003, DES inspected the spa at the Great Bay Athletic Club, in Newmarket, NH ("the Spa"). During this inspection, the following deficiencies were noted:

- 1 Env-Ws 1103.16(e) requires a free residual chlorine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L chlorine. The chlorine concentration of the Spa water was 1.6 mg/L on May 8, 2003.
2. Env-Ws 1103.16(f) requires a pH between 7.0 and 7.8 in public spa water. The pH of the Spa water was 8.1 on May 8, 2003.
3. Pursuant to Env-Ws 1103.16(a), disinfection of spa water shall be achieved by continuous feed equipment. The Spa is currently being disinfected by hand feeding.
4. Env-Ws 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. The Spa test results are not recorded on a dated daily log sheet, as required.

A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

- 1 A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. The type, manufacture, and model of the chlorine feeder to be installed.
3. A timetable of when the installation of the chlorine feeder will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

Great Bay Athletic Club
WMB PBF 03-17
May 13, 2003
Page 2

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

A handwritten signature in black ink is written over the word "COPY". The signature appears to be "Jody Connor".

Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0586 0226

cc: Mark Harbaugh, Enforcement Attorney, DES
Amy Wilson, Public Bathing Facility Coordinator, DES
Daniel Vincent, Health Officer, Town of Newmarket
Phil Rainville, Manager, Great Bay Athletic Club

H:\BIOLOGY\POOLS\Letters-LOD\LOD-2003\LOD.03.17.doc